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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,248	08/20/2003	Louis J. Fioravanti	STL10989	6089

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EXAMINER

KLIMOWICZ, WILLIAM JOSEPH

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/644,248

Applicant(s)

FIORAVANTI ET AL.

Examiner

William J. Klimowicz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-17 is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,9-12 and 18 is/are rejected.
- 7) ☒ Claim(s) 3,4,7,8,19 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

With regard to page 9, the paragraph commencing at line 11 should be indented..

With regard to page 9, line 16, the designator "332" should be changed to --322--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5, 6, 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshimoto et al. (JP 07-182811 A).

As per claim 1, Yoshimoto et al. (JP 07-182811 A) discloses a data storage device stabilization mechanism for a servo track writing (STW) nest, wherein the data storage device includes data storage disc (2) that rotate about an disc rotation axis - see FIGS. 1, 4 and 5, the stabilization mechanism comprising: a baseplate (22); at least two fixed restraints (23) on the baseplate (22) adapted to receive and position a data storage device (1) on the baseplate (22); and at least two clamps (24, 24) on the baseplate (22), the clamps (24) operable to move between a first position - see FIGS. 4 and 5, wherein the clamps (24, 24) engage a data storage device (1)

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positioned on the baseplate (22) by the fixed restraints (23) and apply a restraining force on the data storage device (1) in a direction perpendicular to the disc rotation axis - see FIG. 5 - to dampen rotational movement of the data storage device (1) relative to the baseplate (22), and a second position, wherein the clamps do not engage the data storage device positioned on the baseplate. The second position is caused by the removability of the drive (1), which causes the elastic deformation of the spring members to disengage the drive from the base (22).

As per claim 2, wherein the at least two clamps apply the restraining force against different sides of the data storage device - FIG. 4.

As per claim 5, the resilient spring clamps (24) are seen to be equivalent structure corresponding to a means for dampening selected frequencies based on characteristics of the data storage device (1).

As per claim 6, wherein the selected frequencies include electromagnetic switching frequencies that are generated by a motor controller in the data storage device (1). This is seen to be inherent since the resilient structure of the spring clamps (24) elastically dampen a continuous range of frequencies based on the spring-nature structure.

As per claim 9, wherein each clamp (24) is aligned in opposition to an opposed fixed restraint (23).

Additionally, as per claim 18, Yoshimoto et al. (JP 07-182811 A) discloses a servo track writing nest comprising: a means (16, 15 or 24, 23) mounted on the baseplate (22) for preventing rotational movement of the data storage device (1) relative to the baseplate (22).

With regard to claim 1, Yoshimoto et al. (JP 07-182811 A) does not expressly show "discs" (i.e., one than one disc) as set forth in claim 1.

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With regard to claim 18, Yoshimoto et al. (JP 07-182811 A) does not expressly disclose a carriage for receiving a data storage device (1) and placing the data storage device (1) on the baseplate (22).

Official notice is taken that disc drives having more than one disc (as per claim 1) and carriages for placing disc drives into working positions (as per claim 18) provided therein are notoriously old and well known and ubiquitous in the art; such Officially noticed fact being capable of instant and unquestionable demonstration as being well-known.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the disc drive of Yoshimoto et al. (JP 07-182811 A) as a conventional and ubiquitous storage device having a plurality of discs (as per claim 1) and a carriage device for placement of the disc drive on the baseplate (as per claim 18).

The rationale is as follows: one of ordinary skill in the art would have been motivated to provide the disc drive of Yoshimoto et al. (JP 07-182811 A) as a conventional and ubiquitous storage device having a plurality of discs (as per claim 1) and a carriage device for placement of the disc drive on the baseplate (as per claim 18) in order to simply increase the data storage capacity of the disc drive, thus allowing for more information to be stored and/or retrieved therefrom (as per claim 1) and to also provide an automated system for disk drive delivery to the baseplate (as per claim 18) via a carriage , as is well known, established and appreciated in the art.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshimoto et al. (JP 07-182811 A).

As per claim 10, Yoshimoto et al. (JP 07-182811 A) discloses a method of writing servo tracks on a data storage disc (2) in a data storage device (1), the data storage device (1) having at least one data storage disc (2) that rotates about a disc rotation axis, the method comprising: positioning the data storage device (1) in a servo track writer nest (22); applying a first clamping force (via (16)) on the data storage device (1) in a direction perpendicular to the disc rotation axis to prevent rotation of the data storage device (1) relative to the servo track writer nest (22); and writing a plurality of servo tracks on the at least one data storage disc (2).

As per claim 11, wherein the positioning operation further comprises: receiving the data storage device (1) in a carriage (10, 11, 14); and placing the carriage on a baseplate (22) in the servo track writer nest.

As per claim 12, further comprising: applying a second clamping force (via the second element spring (16)) on the data storage device (1) in a different direction perpendicular to the disc rotation axis.

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Allowable Subject Matter

Claims 3, 4, 7, 8, 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

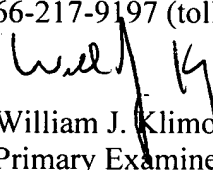
Claims 13-17 are currently allowed over the art of record, pending an updated search commencing at a future date.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (571) 272-7577. The examiner can normally be reached on Monday-Thursday (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William J. Klimowicz
Primary Examiner
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WJK